

## **REMARKS**

### **I. Status of Application**

Claims 16-19, 21, 23 and 24 are all the claims pending in the application. Claims 16-19, 21, 23 and 24 have been rejected.

### **II. Claim Rejections Under 35 U.S.C. 103**

Claims 16-18 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Ronen (US 5,845,267) in view of Jamison et al. (US 2003/019711 A1), hereinafter “Jamison,” in further view of McNair (US 2001/0037297 A1). Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of independent claim 16, Applicants respectfully submit that claim 16 is patentable because each and every element is not disclosed or suggested by Ronen in view of Jamison and McNair. Claim 16 recites (**emphasis added**):

**A method for payment receipt between a payee which provides a service and a payer which pays for the provided service, the method comprising the steps of:**

extracting by a payee server of the payee, required information including information on payers and payment amounts from a receipt management database for managing information on the payers who have to pay and the payment amounts that the respective payers have to pay for a certain period of time;

converting by the payee server, the extracted information into a two-dimensional (2D) code;

making out by the payee server, a bill for payment with the converted 2D code attached thereto;

**transmitting by the payee server, the bill for payment with the 2D code to a receiver of the payer; and**

receiving by the payee server, processed payer information from a relay server, wherein the relay server receives information on payers who have completed a payment process and payment amounts paid by the payers, transmitted from a financial institution server and selects information

including personal details of the payers, paid amounts and paid dates, which a payee wants to obtain, among the received information thereby to provide the processed payer information to the payee server.

**A. References do not suggest transmitting by a payee server a bill to a receiver of a payer**

For example, Applicants respectfully submit that Ronen in view of Jamison and McNair does not disclose or suggest a method of payment receipt between a payee which provides a service and a payer which pays for the provided service, the method including transmitting by a payee server of the payee a bill for payment to a receiver of the payer, in combination with other elements of the claim.

On page 3 of the Office Action, the Examiner cites the billing server 126 of the centralized billing platform 120 of Ronen for a teaching of the claimed payee server transmitting a bill for payment to a receiver of the payer. Applicants respectfully disagree.

In particular, it is noted that the billing platform 120 and the billing receiver 126 are not of a payee and do not correspond to a payee server.

By way of review, Ronen relates to a method and system of billing an account associated with a user for a cost of a transaction conducted between a user and a merchant using a billing platform. Specifically, FIG. 1 of Ronen shows network elements for providing a centralized billing functionality of a billing platform 120 for transactions conducted between a user 101 and an Internet Service Provider (ISP) 115. The billing platform includes a billing server 126 and a database 127 where the billing server 126 checks the database 127 to ascertain whether a billing mechanism has previously been established for the user (col. 5, lines 50-54). Further, the billing server 126 stores on the database 127 for each user a record that includes parameters of billing and a billing choice, and bills an account of the user for the cost of the transaction according to the established billing mechanism (col. 6, line 10-31; Table 1, col. 7, lines 14-33). In Ronen, the

billing platform 120 performs payment for the user in accordance with the billing mechanism established between the user and the billing platform.

Thus, as described above, Ronen's billing platform 120 does not correspond to the payee server of claim 16. In response to this argument as previously submitted, the Examiner on page 2 of the Office Action alleges that the claimed payee server "is too broad." In view of the amendment to claim 16, which specifies that the payee server is of a payee which provides a service to a payer which pays for the provided service, Applicants respectfully request that the rejection be withdrawn.

Furthermore, at most it may be said that the ISP 115 according to Ronen corresponds to the payee and the user 101 corresponds to the payer. However, the ISP 115 does not perform any of the claimed operations of claim 16 performed by the payee server and the user 101 does not receive a bill transmitted by the ISP 115.

Rather, Ronen simply indicates that the billing server 126 receives, from the transaction server 121, all the billing information to bill each user who has engaged in a chargeable transaction. Referring to FIGs. 1 and 2 of Ronen, the ISP 115 forwards the bill indicating the cost of the transaction to the transaction server 121, and the transaction server 121 sends the bill to the billing server 126 which charges the user account of the billing entity (130-1, 130-5; VISA, MasterCard, etc) over the transaction facilities 131-1, 131-5. In Ronen, the billing entity is an entity performing a charge to the user for the transaction, **but is not a payer receiver which receives a bill for payment** of claim 16. In addition, the cited portion of Ronen does not teach that the billing platform 120 transmits a bill to the user terminal 101.

Thus, Ronen in view of Jamison and McNair does not disclose or suggest transmitting by a payee server of the payee a bill for payment to a receiver of the payer, as recited *inter alia* in amended claim 16.

**B. References do not suggest receiving by a payee server processed payer information**

Even assuming *arguendo* that the billing server 126 of Ronen corresponds to a payee server, Applicants respectfully submit that Ronen in view of Jamison and McNair does not disclose or suggest receiving by the payee server, processed payer information from a relay server, in combination with other elements of the claim.

On page 5 of the Office Action, the Examiner appears to take the position that the electronic bill presentment and payment (EBPP) server 58 of Jamison (FIG. 1) allegedly corresponds to the claimed relay server from which the processed payer information of claim 16 is received. Accordingly, the Examiner appears to take the position that in combination with Jamison, it would have been obvious to modify Ronen such that the billing server 126 (which allegedly corresponds to the claimed payee server) receives processed payer information from the EBPP server 58 of Jamison (which allegedly corresponds to the claimed relay server). Applicants respectfully disagree.

In particular, even assuming *arguendo* that the EBPP server 58 corresponds to a relay server and that the EBPP server 58 receives information from a financial institution server to provide processed payer information, there is no suggestion whatsoever in the entirety of Ronen that the billing server 126 receives processed payer information, nor has the Examiner provided any reasoning with a rational underpinning as to why it would have been obvious to modify Ronen such that the billing server 126 receives processed payer information. Rather, even accepting *arguendo* the Examiner's interpretation of the references, at no point has the Examiner

established that the billing server 126 receives processed payer information or that the EBPP server 58 transmits processed payer information.

Therefore, Applicants respectfully submit that Ronen in view of Jamison and McNair does not disclose or suggest receiving by the payee server, processed payer information from a relay server, as recited *inter alia* in claim 16.

**C. References do not suggest receiving by a payee server information from a relay server**

Even assuming *arguendo* that the billing server 126 of Ronen corresponds to a payee server, Applicants respectfully submit that Ronen in view of Jamison and McNair does not disclose or suggest receiving by the payee server information from a relay server, in combination with other elements of the claim.

On page 5 of the Office Action, the Examiner appears to take the position that the EBPP server 58 of Jamison (FIG. 1) allegedly corresponds to the claimed relay server from which the processed payer information of claim 16 is received. Accordingly, the Examiner appears to take the position that in combination with Jamison, it would have allegedly been obvious to modify Ronen such that the billing server 126 (which allegedly corresponds to the claimed payee server) receives information from the EBPP server 58 of Jamison (which allegedly corresponds to the claimed relay server). Applicants respectfully disagree.

In particular, it is noted that the EBPP server 58 of Jamison at most corresponds to the billing server 126 of Ronen, as opposed to a relay server which obtains information from a financial institution server and transmits information to the billing server 126 (which the Examiner alleges corresponds to the claimed payee server). That is, like the billing server 126, the EBPP server 58 also operates to process payments on behalf of a customer by charging an

account of the customer. Thus, in combination with Ronen, the EBPP server 58 certainly would not correspond to a relay server, but would instead modify the billing server 126.

Moreover, even assuming *arguendo* that the EBPP server 58 can somehow be construed as a relay server and the billing server 126 corresponds to the payee server, Applicants respectfully submit that it would not have been obvious to modify the teachings of Ronen to include a relay server. Nor has the Examiner provided the requisite reasoning with a rational underpinning to establish a *prima facie* obviousness rejection for such a modification of Ronen.

Rather, on page 5 of the Office Action, the Examiner alleges that it would have been obvious to modify Ronen to include a relay server in order to “give extra processing power to further process the necessary data” and to “ultimately increase the efficiency of the system.” Applicants respectfully disagree.

In particular, the Examiner has not explained why such an addition of a relay server would give extra processing power to process necessary data, or why such extra processing power would have been obvious for purposes of modifying Ronen (i.e., why would it would have been obvious to modify Ronen to provide extra processing power). Moreover, the Examiner has failed to explain how adding an additional server through which data passes could possibly “increase the efficiency of the system.” The Examiner is respectfully reminded that mere conclusory statements not supported by the record cannot substitute for evidence of obviousness and do not constitute an articulated reasoning with some rational underpinning to support the legal conclusion of obviousness. KSR International Co. v. Teleflex Inc., 82 USPQ2d 1385, 1396 (2007). Therefore, Applicants respectfully request that the rejection be withdrawn as the Examiner has not provided sufficient evidence to maintain a *prima facie* obviousness rejection of the claim.

**D. References do not suggest a relay server selects paid amounts and paid dates among received information**

Even assuming *arguendo* that the EBPP server 58 of Jamison corresponds to a relay server, Applicants respectfully submit that Ronen in view of Jamison and McNair does not disclose or suggest the relay server receives information and selects information including paid amounts and paid data from among the received information, in combination with other elements of the claim.

On page 5 of the Office Action, the Examiner appears to take the position that the EBPP server 58 of Jamison (FIG. 1) allegedly corresponds to the claimed relay server which receives processed payer information including paid amounts and paid dates. Applicants respectfully disagree.

In particular, it is noted that the EBPP server 58, like the billing server 126, the EBPP server 58 of Ronen, operates to process payments on behalf of a customer by charging an account of the customer, i.e., by making payments. Subsequently, the EBPP server 58 stores information on payments made by the EBPP server 58 in a bill information database 62 (paragraph [0103]). As such, the EBPP server 58 receives account balance information (i.e., money owed) from a financial institution, but does not receive information on paid amounts and paid dates from the financial institution (paragraph [0103]). Rather, the EBPP server 58 loads this information from a bill information database 62 to compute a current account balance (paragraph [0103]). Therefore, as Ronen and McNair do not cure this deficiency, Applicants respectfully submit that Ronen in view of Jamison and McNair does not disclose or suggest the relay server receives information, transmitted from a financial institution server, and selects

information including paid amounts and paid data from among the received information, as recited *inter alia* in claim 16.

Regarding the rejection of independent claim 17, Applicants respectfully submit that claim 17 is allowable for at least similar reasons as those provided above with reference to claim 16. Moreover, Applicants submit that claim 17 is further allowable at least because Ronen in view of Jamison and McNair does not disclose or suggest:

receiving by the payee server, re-processed information from a management server, wherein the management server receives information on the payers who have completed a payment process and the payment amounts paid by the payers from the financial institution server via the relay server, and re-processes the received information in an information form that the payee wants to obtain thereby to provide the re-processed information to the payee server.

On page 3 of the Office Action, the Examiner appears to take the position that the EBPP server 58 of Jamison allegedly corresponds to both the claimed relay server and the claimed management server, and that “[s]imply repeating or duplicating something can not be given patentable weight.” That is, it appears that the Examiner takes the position that the claimed management server is merely duplicative of the claimed relay server. Applicants respectfully disagree.

In particular, it is noted that the management server is not duplicative of the relay server. In fact, the claimed relay server provides information on the payers who have completed a payment process and the payment amounts paid by the payers, whereas the claimed management server re-processes the information in an information form that the payee wants to obtain. Clearly, the claimed relay server is not limited by an operation of re-processing the information in an information form desired by the payee. Therefore, the Examiner must give patentable weight to both the management server and the relay server. As such, Applicants respectfully



request that the rejection of claim 17 be withdrawn, as Ronen in view of Jamison and McNair does not disclose or suggest each and every element of the claim.

Regarding the rejection of independent claim 18, Applicants respectfully submit that claim 18 is allowable for at least similar reasons as those provided above with reference to claim 17.

Claims 19 and 21 are rejected under 35 U.S.C. 103 (a) as allegedly being unpatentable over Ronen in view of McNair or Ronen in view of Jamison and McNair, in further view of Antognini et al. (US 2002/0023055 A1), hereinafter “Antognini.” Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of claims 19 and 21, Applicants respectfully submit that these claims are allowable for at least the reasons set forth above due to their respective dependencies, as Ronen in view of Jamison, McNair and Antognini does not cure the above-described deficiencies of Ronen in view of Jamison and McNair.

Claim 23 is rejected under 35 U.S.C. 103 (a) as allegedly being unpatentable over Ronen in view of McNair or Ronen in view of Jamison and McNair, in further view of Kitchen et al. (US 6,289,322 B1), hereinafter “Kitchen.” Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of claim 23, Applicants respectfully submit that this claim is allowable for at least the reasons set forth above due to its dependency, as Ronen in view of Jamison, McNair and Kitchen does not cure the above-described deficiencies of Ronen in view of Jamison and McNair.

Claim 24 is rejected under 35 U.S.C. 103 (a) as allegedly being unpatentable over Ronen in view of Jamison and McNair in further view of Budow et al. (US 5,661,517), hereinafter "Budow." Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of claim 24, Applicants respectfully submit that this claim is allowable for at least the reasons set forth above due to its dependency, as Ronen in view of Jamison, McNair and Budow does not cure the above-described deficiencies of Ronen in view of Jamison and McNair.

### **III. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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**23373**

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